

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

April 25, 2016

7:00 p.m.

Present: Tony DeMarco
Debbie Tomusko
Kathy Pucci
Kevin Tanski
Barb Paulitzky
Ron Van Kirk

Absent: Mary Balbier

Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION by Tanski, second by Van Kirk to approve the minutes of March 28, 2016. **VOTE RESULTED:** Yes: Tomusko, Pucci, Balbier, Tanski, Paulitzky, Van Kirk. Abstain: DeMarco. No: None. **(APPROVED)**

Int. Pres. Van Kirk asked for a moment of silence for resident Lou Changeri, who passed away April 16th, and offered condolences on behalf of Council and the Administration to his family for their loss. (A Resolution is being prepared and will be presented to the family at a future meeting)

Int. President Van Kirk went over the Agenda: confirmation of two appointments by the Mayor of two UH Parma Hospital Medical Center Bd. of Trustees; Ord. 2015-77 is still in abeyance, for full-time Econ. Dev. Director; Ord. 2016-26 (3rd Read/Adoption), Authorizing agreement with James Zupka, Inc. for audit services to the City for 2015-2018; Ord. 2016-27 (2nd Reading), issuance and sale of \$356,496 in notes; Ord. 2016-28 (2nd Reading), issuance and sale of \$303,504 in notes; Ord. 2016-31 (2nd Reading), establishing Sect. 1360.32, Foreclosing filing notification of the Brooklyn Codified Ordinances; Ord. 2016-32 (amend and 2nd Reading), Establish Chapter 1362, Certificate of inspection at Point of Sale, and amending Sect. 1360.24, Repair of code violations of Brooklyn Codified Ordinances; Ord. 2016-37 (1st Reading), establishing Sect. 1360.33 Vacant Property Registration of the Codified Ordinances; Ord. 2016-38, establishing position of part-time Inspector within Bldg. Dept., and repealing position of Electrical Inspector; Ord. 2016-39, amend Ex. A of 2016-13, compensation of part and full-time administrative employees (non-bargaining).

PUBLIC SESSION:

None.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Councilwoman Pucci): The Comm. met at 6:30 (she apologized also that it went over a few minutes late). For 3rd Reading/Adoption is Ord. 2016-26, authorizing the agreement with James Zupka for the audit services (also done through State Auditor's Office) (costs: 2015-\$27,328; 2016-\$27,840; 2017-\$28,320; 2018-\$28,800); Ords. 2016-27 and -28, for sale of notes (both on 2nd Reading); Ord. 2016-31 (2nd Reading), establishing Sect. 1360.32 for Closure Filing Notification; Ord. 2016-32 (will be amended to remove "gift" in subsection (a) and then it's on 2nd Reading), for Certificate of Inspection at Point of Sale; Ord. 2016-37 (1st Reading), establishing Sect. 1360.33 Vacant Property Registration (vacant residential and commercial annual fees); Ord. 2016-38 (1st Reading), establish position of part-time inspector in Bldg. Dept. and repeal part-time electrical inspector (range from \$15-\$30/hr, we will pay \$25/hr); Ord. 2016-39 (1st Reading), Amends Ex. A of 2016-13, for compensation for p-time, full-time, administrative non-bargaining employees (raises upper limit of pay scale for certain employees; she read each one) The Mayor forwarded statistics from several communities and what they pay various positions, so Council can review them.

Economic Development Comm. (Councilwoman Pucci): They are looking to schedule a meeting prior to a work session of Council.

Recreation Board (Councilman Tanski): Learn to swim sessions starts June 13 – July 7; July 18 – Aug. 10; evenings Mon & Wed June 13 – Aug. 10. Tot classes will also be offered. Swim team practices Tues & Thurs 6-8 pm and Fri 6-7:30 pm, with meets announced after sessions begins, which is June 7 – Aug. 6. Contact Nicole at 216-316-2436 for more info. Registration for all sessions and swim team begins May 16. Learn to skate sessions begin in June and July for all the various sessions; registration is after May 1st. Brooklyn Summer Camp 2016 will be held at the Brooklyn Elementary School on Biddulph, ages 5 through 12; costs for residents, \$275; STM, Heritage Christian, Parma Hts., and corporate is \$345 (includes a camp t-shirt, but field trips are optional and separate fees). Register beginning May 1-June 1. The 5-6 years age group includes swimming instructions by a certified lifeguard. More info from Camp Brooklyn Director Rebecca Byndas at daycamp@brooklynohio.gov or 216-351-5334. The next Board meeting is Monday, May 16th at 7 p.m. in the Rec Center meeting room.

Domestic Abuse Commission (Councilwoman Paulitzky): The Comm. met April 20th and invited Sgt. Cindy Eschweiler to speak. The phone numbers for the Domestic Violence and Child Advocacy Centers are important to know: 216-391-HELP is a 24 hour hotline to connect the caller to the help they need; 216-229-8800 will connect families to available resources. Keep these numbers available for even a friend or neighbor who might need them. People in crisis situations are confused and need help to react. Contributions can also be made to Domestic Violence and Child Advocacy Center, P.O. Box 5466, Cleveland, OH 44101 or www.dvcac.org. On the site is a Wish List of needed items. Human Trafficking is a big issue and law enforcement expects increased activity due to the RNC convention, with teenage girls in the vicinity as targets. If something doesn't look right, say something, it can save a young person.

Planning Commission (Councilwoman Pucci): The next meeting is Thursday, May 5th at 6 p.m. in City Hall Conference Room for two items: request from 4476 Ridge Road Holdings LLC (dba Loving Cup Kids Academy) for site plan and design approval to construct an addition to existing location (for an expired 2013 request); request from Ellis Architects for site plan approval for parking lot expansion and site improvements at 4630 Ridge (former Ridge Manor, now Agostino's), deferred from July 20, 2015 and Oct. 1, 2015 meetings. Meetings are open to everyone.

REPORTS OF COUNCIL:

Tony DeMarco: Offered condolences to the Changeri family. Lou was a great guy, spoke his mind at these meetings, and he cared about crossing the children every day, and protecting residents. He will be sorely missed. He's gathering information to hold a Public Works Committee mtg., but no date yet. It just came up there have been a few identified issues from our Engineer, and we're getting costs that could increase the amount for our street repairs. A meeting will be scheduled when he has information, and also on the Mayor's recommendation to re-pave West Biddulph.

Debbie Tomusko: With the weather being nice she's walking her dog and driving around, and commented everyone's out there doing lawns and flowers, and it makes Brooklyn look good when people drive through looking for new homes. We don't pay additional for our trash program, and we have recycling, all outlined in a brochure to everyone explaining the program. She thanks the about 90% following the program, as it helps avoid charging for trash collection; but asks the 10-20% not following to look at the brochure and follow it, it's not difficult. Saw a section about Fairview Park in the Plain Dealer, and looks forward to our Economic Development Director getting more aggressive in marketing our city, once we get a good plan on what we want to highlight and show. She's looking forward to Brooklyn being more on the offensive in terms of bringing new business and people into the city, as opposed to us playing defense and the next hit on who is leaving. Looking forward to a marketing plan; we can say as much as Fairview had in the section. We have businesses that love doing business in Brooklyn, and expanding and doing well. We have a story, and she looks forward one day to both Crain's and Plain Dealer having a story about Brooklyn, Ohio. There will be a Safety Committee meeting on May 12th at 4:30 p.m.; the first of many meetings to come. It's open to the public, and if anyone has something they want to discuss let her know, for this meeting, or a future meeting. The May 12th meeting will be looking into allowing dogs at Memorial Park, and looking back at what's been

done, and the issues ahead of us. More meetings will be held to be more responsive to citizens' needs regarding safety in Brooklyn.

Kathy Pucci: Offered condolences to the Changeri family. Mr. Changeri cared about and was very involved in our community, former small business leader, Scout Master, crossing guard protecting our children; he had strong opinions he was passionate about, and took time to listen to other opinions. Had many conversations after Council meetings with him. She will personally miss him, and he will be missed by the community. His family is in her prayers. Thanked Comm. Kulcsar for inspecting the gulley behind Elizabeth Ln. homes, and that it is clear of debris. Thanked Councilman Tanski for providing her a copy of the income guidelines for Youth Opportunities.

Kevin Tanski: Reminded that Youth Opportunities is still accepting applications for summer work program, questions and registration at www.youthopportunities.org, information is at City Hall, the Rec Center, the High School, and the Library. Registration ends May 2nd. Offered condolences and deepest sympathy to the Changeri family. He's known Lou for years through various unions and workplaces. He was a conscientious crossing guard who cared for all our school children, and went above and beyond to protect them every day; he stood up for what he believed in and fought for the right thing to do. Ord. #37, Vacant Property Registration – he's had many calls over the years for these properties not being structurally maintained and yards. This should reduce and stop residential/commercial sites becoming and remaining vacant for long periods; and limit complaints to Council and Bldg. Dept. to go to the properties and notify and/or cite the owner. Vacant properties are an eyesore for the community, making the home's value decrease, and our city less attractive to home buyers and businesses; they are also safety concerns when they are vandalized and broken into, and subject to criminal activity. The Building Dept. would be aware of all vacant properties by enforcing this ordinance. He encouraged all of Council to support this when up for adoption.

Barb Paulitzky: The Laurel Garden Club will meet at 7 p.m. in the community room at the Fire Station on Tuesday, May 10th, with speaker Matthew O'Brien on keeping bees. She added that people should limit pesticides and plant flowers to attract bees, because they will pollinate our food supply if we help. Offered condolences to the Changeri family. She met him and his family while campaigning. She attended his mass at St. Thomas More, and the celebration of his life, where the priest declared him "...an example of how a husband, father, citizen, Scout leader, and advocate for workers' rights should live..., and be a better human being..."

Ron Van Kirk: As mentioned there is a Safety Committee mtg. at 4:30 (May 12); following it at 6 p.m. is a Council work session with the Economic Development Director, about plans he has started to put into place for the economic development of the city. He's still fairly new, and getting his legs, but wants to discuss some things in the works. Those interested are welcome to attend, and a public notice will be going out. Mother's Day is before the next meeting, May 8th, and wishes all mothers of Brooklyn happy Mother's Day. He's thankful for his mother and grateful for what she means in his life.

MAYOR'S REPORT:

Mayor Gallagher: Repeated sentiments about Lou Changeri. There will be a void, in Council Chambers and on Biddulph and Ridge where he school guarded, and on the CERT team. Everyone will remember Lou with great fondness. Announced Dick Wilson passed away April 22nd; family will receive friends Friday, April 29th from 4-8 at Busch Funeral Home on Pearl, with services at Trinity United Church of Christ on Memphis Saturday, 10-11, service at 11, lunch at noon. Many should be seeing Council meetings on AT&T U-verse and WOW (up and running). Time Warner Cable was still being worked on, and they sent a bill for \$21,000 for fiber lines; but she had a conversation with Dr. Gliechhof at the schools to see if we could use the fiber lines there, and he agreed. So we'll look at capping the lines that got torn during construction, and getting more equipment, bringing the cost to around \$1,000. Thanks to the school for saving the city significant money going forward and the process can go quickly. Our IT already reached out to Time Warner to cap those lines. She will announce when she hears something. Brooklyn Historical Society has a meeting Wednesday, April 27th at 4442 Ridge at 7 p.m., speaker is Kevin McGee of Cleveland Underwater Explorers CLUE, discussing and showing a presentation on the discovery of the Argo barge in the Lake Erie Islands; all are welcome. She and the Econ. Dev. Director met with Team NEO; they are excited about

American Greetings property becoming a reality in developing, and will work on a marketing presentation to get out to international and local companies. They explained the timeline for businesses moving or relocating, which is usually 6-9 months, so it's prime time to start marketing the property and it can become something big and hopefully move our city in a positive direction. She met with Brian Zimmerman from Cleveland Metroparks and his team, and looking to work with Chris Semarjian and the American Greetings property; and still talking about the IKEA project, and moving forward with a possible bike lane. It's making Brooklyn more of a desirable area, and working with the property to target certain businesses. It deviates from the old concept of going into backyards, but something we can pitch and get through our city, and forward in a positive direction. There are couple jobs on the City's website and Cleveland.com: Law Enforcement Clerk position and part-time Firefighters.

DIRECTORS REPORTS:

None.

REQUESTS:

Request from Mayor Gallagher to confirm the re-appointment of John Bundy to the UH Parma Medical Center Board of Directors, a three year term to expire June 2019. He has served on the board for several years and serves Brooklyn's interests well. **MOTION** by Pucci, second by Paulitzky to confirm the re-appointment. **VOTE RESULTED:** Yes: DeMarco, Tomusko, Pucci, Tanski, Paulitzky, Van Kirk. No: None. **(CONFIRMED)**

Letter from Mayor Gallagher that Jacqueline Patton resigned from UH Parma Medical Center Board of Directors, and requests to confirm the appointment of Andrea Wittine to fill the vacancy, term expires June 2018. Board Chairman Nedrich and President Tinsley met with Ms. Wittine and reviewed past work and education and endorsed her appointment to the Board. Councilwoman Pucci said she won't support this and abstain because: she has known Mr. Bundy for a long time and is familiar with his credentials; there's talking about being more inclusive and get more people involved, not just friends, and she doesn't think information was put out there was a vacancy available; and, as the body that has to confirm it they were given no background information on the candidate, but people from Parma Hosp. were given information. So she won't support it tonight and would like more information on it. Councilwoman Tomusko also commented her issue is that the Parma Bd. chair and the Board already met with her and reviewed, and asking confirmation now is mute; she will also abstain because of the process. Mayor Gallagher explained that after UH absorbed with Parma Hosp. there is discrepancy whether Council confirmation is even needed for this. Seven Hills went through without confirmation; Parma is requesting it; and Parma said she did not need Council confirmation on it, though their legal team said it's debatable. So to make everything above board she would like the confirmation, which is why they met with the Board, they were looking for specifics, and as they are going to consolidate the Board going forward they will start eliminating Board members in a couple years. **MOTION** by Van Kirk, second by Paulitzky to confirm the appointment. Councilwoman Pucci asked if any Councilpersons were given any information on this candidate; the Mayor replied no. **VOTE RESULTED:** *To confirm:* Yes: Tanski, Paulitzky, Van Kirk. Abstain: DeMarco, Tomusko, Pucci. No: None. **(NOT CONFIRMED)**

Councilwoman Pucci asked to have the candidate's information sent to Council.

Councilman DeMarco asked Dir. Butler if the appointment is required to have Council confirmation. Dir. Butler replied he conferred with an attorney for the UH Parma Medical Center's Board late last week and he indicated the bylaws of the organization look for appointees made by the Mayors of each founding communities with the consent of legislative authorities. Some communities have internal conflicts whether to honor the bylaws of a private entity by seeking Council confirmation. The Mayor made it her prerogative to come to Council and seek confirmation, and he agreed with her decision.

Int. Pres. Van Kirk said, for the record, over the years Council's done appointments for different things and, for example, he approved Mr. Bundy tonight, and the last time he was appointed, and had no information then. So the Mayor has a prerogative to appoint people, and Councilpersons can abstain if they want.

Councilwoman Pucci said every appointee that she's ever made a decision on to confirm she's had the information, and she can say she had information on Mr. Bundy. Even if it's a re-appointment, if a Councilmember wasn't familiar with someone being re-appointed they have the right to ask for information. Int. Pres. Van Kirk agreed, and that it could have been requested any time after receiving the Agenda on Thursday.

LEGISLATION:

ORDINANCE 2016-26, Authorizing an agreement with James G. Zupka, CPA, Inc. to provide Audit Services to the City of Brooklyn for the audit periods of 2015-2018, pursuant to authorization of the Auditor of State. **MOTION** by Pucci, second by Van Kirk to adopt. **VOTE RESULTED: To adopt:** Yes: DeMarco, Tomusko, Pucci, Tanski, Paulitzky, Van Kirk. No: None. **(ADOPTED)**

ORDINANCE 2016-27, Providing for the issuance and sale of \$356,496 in notes, in anticipation of the issuance of bonds to pay costs of resurfacing certain streets to be approved by City Council, together with all work incidental thereto, and declaring an emergency. **(SECOND READING)**

ORDINANCE 2016-28, Providing for the issuance and sale of \$303,504 in notes, in anticipation of the issuance of bonds to pay costs of improvements to city buildings, including parking therefor, and declaring an emergency. **(SECOND READING)**

ORDINANCE 2016-31, Establishing Section 1360.32, Foreclosure Filing Notification, of the Codified Ordinances of the City of Brooklyn. **(SECOND READING)**

ORDINANCE 2016-32, Establishing Chapter 1362, Certificate of Inspection at Point of Sale; and Amending Section 1360.24, Repair of Code Violations, of the Codified Ordinances of the City of Brooklyn. **MOTION** by Pucci, second by Van Kirk to amend 1362.01(a) to strike the word "gift". **VOTE RESULTED: To amend:** Yes: DeMarco, Tomusko, Pucci, Tanski, Paulitzky, Van Kirk. No: None. **(SECOND READING, AS AMENDED)**

ORDINANCE 2016-37, Establishing Section 1360.33, Vacant Property Registration, of the Codified Ordinances of the City of Brooklyn. **(FIRST READING)**

ORDINANCE 2016-38, Establishing the position of Part-time Inspector within the Building Dept. and repealing the position of Electrical Inspector. **(FIRST READING)**

ORDINANCE 2016-39, Amending Ex. A of Ord. 2016-13, providing for the compensation for the part-time, full-time, and Administrative employees (non-bargaining) of the City of Brooklyn, Ohio. **(FIRST READING)**

Int. Pres. Van Kirk said there will be an executive session to discuss matters of personnel relating to the Finance Dept., with Council, the Mayor and Law Director.

Councilwoman Tomusko asked if it was possible in future meetings, (she had gone to one heavily using Robert's Rules of Order) if we could after a motion and second, ask the question if there are any further discussion, so we don't immediately take votes. Int. Pres. Van Kirk said he has no problem with it, but at any time just ask him to stop and there's not a problem.

MOTION by Pucci, second by Van Kirk to adjourn to executive session for the purposes of discussing personnel within the Finance Dept. with the Mayor and Law Director. **VOTE RESULTED: To adjourn to executive session:** Yes: DeMarco, Tomusko, Pucci, Tanski, Paulitzky, Van Kirk. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

MOTION by Van Kirk, second by Pucci to reconvene. **VOTE RESULTED: To reconvene:** Yes: DeMarco, Tomusko, Pucci, Tanski, Paulitzky, Van Kirk. No: None. **(RECONVENED)**

There being no further business, **MOTION** by Pucci, second by Van Kirk to adjourn. **VOTE RESULTED:**
To Adjourn: Yes: DeMarco, Tomusko, Pucci, Tanski, Paulitzky, Van Kirk. No: None. **(ADJOURNED)**

Clerk of Council

President of Council